IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No. 18678 of 2001

Between:
Abraham Waddera Labour Contract Cooperative
Society Limited, Bayaramguda, Saroornagar,
Rep.by its President E.Veeraiah and 3 others

….. PETITIONERS

AND
The Chief Engineer, MCH,
CC Complex, Tankbund, Hyderabad and another

.....RESPONDENTS

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.18678 of 2001

ORDER:

The writ petition is filed by the petitioners, which are the Wadders Labour Contract Cooperative Societies, seeking Writ of Mandamus, declaring the action of the respondents in insisting Earnest Money Deposit, Caution Deposit, Sales Tax Clearance Certificate and Experience Certificate, as illegal, arbitrary and violation of Government Orders.

It is stated that the petitioners are the cooperative societies, having its members who are Wadders. The respondents are insisting of Earnest Money Deposit, Commercial Tax Clearance Certificate and Experience Certificate for allotment of works as well as even for issuing tender schedule, which is clearly contrary to the rules framed under various Government Orders, therefore, sought for appropriate directions.

A counter is filed with reference to the allegations made by the petitioners. In the counter, it is stated that the respondent corporation is aware of the Government Orders issued from time to time, under which concessions were granted in favour of the petitioners' societies from paying the Earnest Money Deposits, production of solvency certificates etc. But, however, it is stated that even as per the above rules, SC/ST/Vaddara Labour Contract Cooperative Societies should enclose list of works, for which they have applied for the tenders during the year, along with their value and result of the tender called, and they should also enclose the details of the works on hand, indicating the date of allotment, progress of work etc. If the societies furnish the above

particulars, they will be eligible for concession of Earnest Money Deposits, production of solvency certificates etc. But, these petitioners' societies are not furnishing the above said particulars with tender application to become eligible for concessions, therefore, they should not fulfil the tender conditions, and hence the petitioners are not entitled for the relief sought for. Therefore, sought for dismissal of the writ petition.

After hearing the counsel on either side, the writ petition is disposed of, directing the petitioners to furnish the required details insisted by the respondents for the purpose of ascertaining their eligibility, and thereafter, the respondents shall not insist for the Earnest Money Deposits or sales tax clearance or solvency certificates etc.

The Writ Petition is, accordingly, disposed of with the above directions. No order as to costs.

_____

S.ANANDA REDDY,J

Dated: 04.07.2007
Dsr